

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HDK INVESTMENTS, LLC, a Washington
limited liability company,

Plaintiff,

v.

GREEN SKY LABS (USA) LLC, a Colorado
limited liability company; GREEN SKY LABS
INC., a Canadian Corporation,

Defendants.

Case No. 2:20-cv-00462

**STIPULATED MOTION AND ORDER
EXTENDING CASE DEADLINES**

NOTE ON MOTION CALENDAR:
April 3, 2020

Plaintiff HDK Investments, LLC (“HDK”) and defendants Green Sky Labs (USA) LLC (“GSL USA”) and Green Sky Labs Inc. (GSL Canada), jointly move this Court to continue the current case deadlines for approximately 45 days, so that they may engage in good faith settlement negotiations that may resolve this dispute without the need for additional court intervention.

HDK filed its Complaint on February 24, 2020 in the Superior Court of Washington for King County. HDK served the summons and Complaint on GSL USA on February 27, 2020. HDK also delivered a copy of the summons and Complaint to the address of GSL Canada on February 28, 2020, although by filing this stipulation, the parties take no position as to whether GSL Canada has been properly served. GSL USA filed a Notice of Removal on March 27, 2020, removing the matter to this Court. Pursuant to Fed. R. Civ. P. 81(c)(2)(C), GSL USA’s deadline to respond to the Complaint is April 3, 2020. The parties are still corresponding regarding whether

1 service was perfected on defendant GSL Canada. HDK believes service was proper and
2 effective on GSL Canada. GSL Canada reserves the right to assert service was not proper and
3 effective.

4 At this time, the parties are engaged in good faith negotiations to discuss a potential
5 settlement to this litigation. The parties agree that mediation would be valuable in resolving this
6 dispute, but they recognize that the outbreak of COVID-19 will delay their efforts to hold a
7 mediation. Pursuant to Rule 16(b)(4) and LCR 16(b)(6), good cause exists to continue the case
8 deadlines. The parties are engaging in good faith settlement communications, but the various
9 orders mandating social distancing will delay the parties' ability to conduct a mediation. The
10 parties have contacted a potential mediator, and have also engaged in direct communications about
11 areas of potential agreement between the parties. The parties are waiting for the mediator to
12 confirm potential dates for mediation as well as utilizing available teleconferencing technology to
13 conduct the mediation. The parties anticipate mediation to commence within the next 45 days.
14 The parties wish to avoid incurring attorneys fees' on court filings that will be unnecessary if they
15 are able to negotiate a mutual resolution to this dispute. To ensure all involved remain safe, but
16 also that the case remains on track toward completion, the parties request that the current deadlines
17 be extended approximately 45 days as outlined below.

18 Accordingly, subject to the Court's approval, the parties agree as follows: The case
19 deadlines, as established by filing the Notice of Removal (Dkt. No. 1) should be continued as set
20 forth below.

| 21 | | | |
|----|---|----------------------|----------------------|
| 22 | Event | Existing Deadline | Proposed Deadline |
| 23 | Deadline for Properly Served Parties to Respond to Complaint | April 3, 2020 | May 18, 2020 |
| 24 | Deadline to File Jury Demand | April 10, 2020 | May 26, 2020 |
| 25 | Deadline to File Motion for Remand | April 27, 2020 | June 11, 2020 |
| 26 | | | |

STIPULATED to this 3rd day of April, 2020.

KARR TUTTLE CAMPBELL

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Green Sky Labs (USA) LLC and

Green Sky Labs Inc.

ORDER

It is so ORDERED.

Dated this 6th day of April, 2020.



Marsha J. Pechman
United States Senior District Judge

Presented by:

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s/ David Freeburg

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